



BOARD OF DIRECTORS' REGULAR MEETING

APRIL 18, 2001

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 7th floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING

REVISED A G E N D A

WEDNESDAY
April 18, 2001
9:30 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Swearing in of New Board Members
Roll Call
Pledge of Allegiance

Randy Attaway, Chair

Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.

CONSENT CALENDAR (ITEMS 1 – 11)

Staff/Phone (415) 749-

1. Minutes of April 4, 2001 **M. Romaidis/4965**
2. Communications **E. Garvey/4970**
Information only
3. Report of the Advisory Council **J. Kelly/4962**
4. Report of Monthly Activities **P. Hess/4971**
Division activities for the month of March, 2001
5. Report of District Personnel on Out of State Business Travel **W. Tanaka/5066**
6. Quarterly Report of the Clerk of the Boards **E. Garvey/4970**
7. Purchase Orders/Contracts in excess of \$20,000 **W. Tanaka/5066**
The District's Computer Operations Section included the replacement of notebook computers in the FY 2000-2001 capital budget. The computers were purchased from CDW-G under Purchase Order number 40459 in the amount of \$28,029.41.
8. Purchase Orders/Contracts in Excess of \$35,000.00 **E. Garvey/4970**
Pursuant to the District's Administrative Code, Division II, Section 4.3, Fiscal Policies and Procedures, staff requests the Board authorize the Executive Officer/Air Pollution Control Officer to execute a contract with Cooperative Personnel Services in the amount of \$94,385.00 to conduct a District-wide classification and salary study which was included in the FY 2000/2001 budget.

9. Set Public Hearing for May 2, 2001 to adopt proposed amendments to Regulation 8, Rule 51: Adhesive and Sealant Products and adopt a Negative Declaration pursuant to the California Environmental Quality Act **T. Perardi/4667**

The proposed amendments make changes necessary for EPA's full approval of the rule into the California State Implementation Plan. The amendments also (1) establish new adhesive categories to ensure that complying adhesives are available for several narrow applications, (2) exempt aerosol adhesives in favor of more stringent standards in the ARB consumer products regulation, and (3) generally clarify rule language.

10. Set Public Hearing for May 2, 2001 to adopt proposed amendments to District Regulation 1: General Provisions and Definitions; Regulation 2, Rule 1: General Requirements; Regulation 2, Rule 6: Major Facility Review; and District Manual of Procedures, Volume II, Part 3: Major Facility Review Permitting Procedures and approve a Notice of Exemption from the California Environmental Quality Act. **B. deBoisblanc/4704**

The primary purpose of these amendments is to obtain full approval of the District's Major Facility Review program from EPA. The proposed revisions will also (1) reinstate federal emission trading provisions, (2) correct the definitions of "independent power production facility" and "Phase II acid rain facility," (3) clarify that final District action on Title V permits may be appealed to the District's Hearing Board, (4) clarify the circumstances under which permits could be denied or revoked, (5) make minor changes and corrections to improve definitions, clarity, and implementation, and (6) remove impediments to permitting agricultural operations if the Health and Safety Code allows such permitting.

11. Referral of Proposed District Budget for FY 2001/2002 to Committees **W. Tanaka/5066**

Pursuant to Administrative Code Division II: Section 3.2 Fiscal Policies and Procedures, and in compliance with Health and Safety Code Section 40276, request for Board of Directors referral of the FY 2001/2002 proposed Budget to the Budget and Finance Committee and to the Personnel Committee for review and recommendations.

COMMITTEE REPORTS AND RECOMMENDATIONS

12. Report of the **Legislative Committee** Meeting of April 4, 2001

CHAIR: B. WAGENKNECHT E. Garvey/4970

Action: Adopt Committee's recommendations on the bill positions listed below:

<i>Bill</i>	<i>Brief Description</i>	<i>Committee Recommendation</i>
<i>SB 10 (Soto)</i>	<i>Extends the Safe Routes to Schools program</i>	<i>Support</i>
<i>SB 603 (McClintock)</i>	<i>Exempts certain power plant upgrades from CEQA and air district regulatory requirements</i>	<i>Oppose</i>
<i>SB 1068 (Speier)</i>	<i>School Bus Safety and Emission Reduction Bond Act</i>	<i>Support in Concept</i>
<i>ABX1 46 (Canciamilla)</i>	<i>Establishes policy for creation of offsets for powerplants</i>	<i>Oppose unless Amended</i>

13. Report of the **Public Outreach Committee** Meeting of April 9, 2001

CHAIR: J. MILLER

E. Garvey/4970

14. Report of the **Mobile Source Committee** Meeting of April 12, 2001

CHAIR: T. SMITH

E. Garvey/4970

Actions: A) Consider approval of proposal for a model clean air vehicle ordinance and a policy for local public agencies.

B) Consider approval of the Transportation Fund for Clean Air Annual Report for FY 2000/01.

PUBLIC HEARING

15. Public Hearing to adopt proposed amendment to District Regulation 8, Rule 43: Surface Coating of Marine Vessels and approval of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA)

T. Perardi/4667

The proposed amendments add an exemption to the rule to allow a public park or museum to use up to 55 gallons per year of non-complying coatings in order to maintain historic vessels. The amendments also delete outdated VOC limits and compliance dates to make the rule easier to read and understand.

OTHER BUSINESS

16. Report of the Air Pollution Control Officer

17. Chairperson's Report

CLOSED SESSION

18. Conference with District's Labor Negotiator – Gene Bell
(Government Code § 54957.6(a))

*Agency Negotiators: Rich Sanchez, Human Resources Officer
Peter Hess, Deputy APCO*

Employee Organization: Bay Area Air Quality Management District Employees' Association, Inc.

19. Conference with Legal Counsel – Existing Litigation

Pursuant to Government Code Section 54956.9(a), a need exists to meet in closed session with legal counsel to consider the following cases: (1) Douglas Hall v. Bay Area AQMD, SFSC Case No. 311038; (2) Our Childrens' Earth Foundation v. Bay Area AQMD, SFSC Case No. 319636; and (3) CBE and SAEJ v. Bay Area AQMD, SFSC Case No. 313969.

OPEN SESSION

20. Board Members' Comments

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

21. Place of Next Meeting - 9:30 a.m., Wednesday, May 2, 2001 939 Ellis Street, San Francisco, California 94109

22. Adjournment

EG:mag